


U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: October 19, 2004
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. Application No. (if known) 10/511725
INTERNATIONAL APPLICATION NO.: PCT/JP03/04893	INTERNATIONAL FILING DATE: April 17, 2003	PRIORITY DATE CLAIMED: April 19, 2002
TITLE OF INVENTION: COMPOSITION OBTAINED FROM BARLEY <i>SHOCHU</i> STILLAGE AND HAVING ACTIVITY OF INHIBITING ONSET OF ALCOHOLIC HEPATOPATHY AND ACTIVITY OF HEALING IT AS WELL AS EXCELLENT PALATABILITY, AND PROCESS FOR PRODUCING THE SAME		
APPLICANT(S) FOR DO/EO/US: Toshiro OMORI, Naoki TAKESHIMA, Kei HAYASHI and Yasufumi UMEMOTO		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): <ol style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
ITEMS 11. TO 20. BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 together with the international search report, PTO-1449 with 12 references. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. ASSIGNEE NAME AND ADDRESS: <u>(1) SANWA SHURUI CO., LTD., Usa-shi, Japan; and</u> <u>(2) BARLEY FERMENTATION TECHNOLOGIES, INC., Usa-shi, Japan</u> Please publish the assignee data with the application. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. 1.76 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information: 		

U.S. APPLICATION NO. (if known) 10/511725 INTERNATIONAL APPLICATION NO. PCT/JP03/04893				DATE: October 19, 2004	
21. <input checked="" type="checkbox"/> The following fees are submitted:				<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>
Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO:\$950.00					
International preliminary examination fee paid to USPTO (37 CFR 1.482)\$750.00					
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))\$790.00					
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$1110.00					
International preliminary examination fee (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)\$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$ 950.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
TOTAL	28 -20 =	8	X \$ 18.00	\$ 144.00	
INDEPENDENT	6 - 3 =	3	X \$ 88.00	\$ 264.00	
Multiple dependent claims(s) (if applicable)			+ \$300.00	\$ 300.00	
TOTAL OF ABOVE CALCULATIONS =				\$1,788.00	
Reduction by 1/2 for filing by small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).					
SUBTOTAL =				\$1,788.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +					
TOTAL NATIONAL FEE =				\$1,788.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +					
TOTAL FEES ENCLOSED =				\$1,788.00	
				Amount to be:	
				refunded	\$
				charged	\$

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<p>a. XX A check in the amount of \$1,788.00 to cover the above fees is enclosed. (\$950.00 for basic filing fee; \$144.00 for 8 additional claims; \$264.00 for 3 additional independent claims; \$300.00 for multiple dependent claims and \$130.00 for late filing of the declaration).</p> <p>b. <u> </u> Please charge my Deposit Account No. 50-2866 in the amount of \$<u> </u> to cover the above fees. (A duplicate copy of this sheet is enclosed.)</p> <p>c. XX The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2866.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.</p>		
Send All Correspondence To:	WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 Connecticut Avenue, N.W. Suite 700 Washington, D.C. 20036 CUSTOMER No. 38834	
Typed or Printed Name: Scott M. Daniels		Reg. No.: 32,562
Signature 		Date: October 19, 2004

SMD/yap